

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Byron Z. Moldo, SBN 109652 Moldo Davidson Fraioli Seror & Sestanovich LLP 2029 Century Park East, 21st Floor Los Angeles, CA 90067 Email: bmoldo@mdfslaw.com TELEPHONE NO.: 310-551-3100 FAX NO.: 310-551-0238 ATTORNEY FOR (Name): James H. Donell, Receiver		FOR COURT USE ONLY <div style="border: 1px solid black; padding: 5px; text-align: center;"> FILED CLERK U.S. DISTRICT COURT FEB 12 2008 CENTRAL DISTRICT OF CALIFORNIA BY DEPUTY </div>
NAME OF COURT: United States District Court, Central District of California STREET ADDRESS: 312 North Spring Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: Central District		
PLAINTIFF: SECURITIES AND EXCHANGE COMMISSION DEFENDANT: J.T. WALLENBROCK & ASSOCIATES, LARRY TOSHIO OSAKI, VAN Y. ICHINOTSUBO, AND CITADEL CAPITAL MANAGEMENT GROUP, INC. APPLICATION AND ORDER FOR APPEARANCE AND EXAMINATION <input checked="" type="checkbox"/> ENFORCEMENT OF JUDGMENT <input type="checkbox"/> ATTACHMENT (Third Person) <input checked="" type="checkbox"/> Judgment Debtor <input type="checkbox"/> Third Person		
		CASE NUMBER: CV 02-808 ER

ORDER TO APPEAR FOR EXAMINATION

1. TO (name): VAN Y. ICHINOTSUBO
2. YOU ARE ORDERED TO APPEAR personally before this court, or before a referee appointed by the court, to
- ☒ furnish information to aid in enforcement of a money judgment against you.
 - ☐ answer concerning property of the judgment debtor in your possession or control or concerning a debt you owe the judgment debtor.
 - ☐ answer concerning property of the defendant in your possession or control or concerning a debt you owe the defendant that is subject to attachment.

Date: 3-24-08 Time: 2:00 pm Courtroom Number: 550 "Rayba!"
 Address of court ☐ shown above ☒ is: 255 E. Temple St LA 90012

3. This order may be served by a sheriff, marshal, registered process server, or the following specially appointed person (name):

Date: 2/12/08


 JUDGE OR MAGISTRATE JUDGE

This order must be served not less than 10 days before the date set for the examination.
IMPORTANT NOTICES ON REVERSE

APPLICATION FOR ORDER TO APPEAR FOR EXAMINATION

4. ☐ Judgment creditor ☒ Assignee of record ☐ Plaintiff who has a right to attach order
 applies for an order requiring (name): Van Y. Ichinotsubo to appear and furnish information to aid in enforcement of the money judgment or to answer concerning property or debt.
5. The person to be examined is
☒ the judgment debtor.
☐ a third person (1) who has possession or control of property belonging to the judgment debtor or the defendant or (2) who owes the judgment debtor or the defendant more than \$250. An affidavit supporting this application under Code of Civil Procedure section 491.110 or 708.120 is attached.
6. The person to be examined resides or has a place of business in this county or within 150 miles of the place of examination.
7. ☐ This court is **not** the court in which the money judgment is entered or (attachment only) the court that issued the writ of attachment. An affidavit supporting an application under Code of Civil Procedure section 491.150 or 708.160 is attached.
8. ☐ The judgment debtor has been examined within the past 120 days. An affidavit showing good cause for another examination is attached.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: February 6, 2008

Byron Z. Moldo

(TYPE OR PRINT NAME)


 (SIGNATURE OF DECLARANT)

APPEARANCE OF JUDGMENT DEBTOR (ENFORCEMENT OF JUDGMENT)

NOTICE TO JUDGMENT DEBTOR If you fail to appear at the time and place specified in this order, you may be subject to arrest and punishment for contempt of court, and the court may make an order requiring you to pay the reasonable attorney fees incurred by the judgment creditor in this proceeding.

**APPEARANCE OF A THIRD PERSON
(ENFORCEMENT OF JUDGMENT)**

(1) NOTICE TO PERSON SERVED If you fail to appear at the time and place specified in this order, you may be subject to arrest and punishment for contempt of court, and the court may make an order requiring you to pay the reasonable attorney fees incurred by the judgment creditor in this proceeding.

(2) NOTICE TO JUDGMENT DEBTOR The person in whose favor the judgment was entered in this action claims that the person to be examined pursuant to this order has possession or control of property which is yours or owes you a debt. This property or debt is as follows *(Describe the property or debt using typewritten capital letters)*:

ALL PROPERTY OR ASSETS OR INTEREST IN PROPERTY OR ASSETS OF VAN ICHINOTSUBO IN SATISFACTION OF A JUDGMENT IN THIS CASE IN THE AMOUNT OF \$409,798 DATED DECEMBER 10, 2003.

If you claim that all or any portion of this property or debt is exempt from enforcement of the money judgment, you must file your exemption claim in writing with the court and have a copy personally served on the judgment creditor not later than three days before the date set for the examination. You must appear at the time and place set for the examination to establish your claim of exemption or your exemption may be waived.

APPEARANCE OF A THIRD PERSON (ATTACHMENT)

NOTICE TO PERSON SERVED If you fail to appear at the time and place specified in this order, you may be subject to arrest and punishment for contempt of court, and the court may make an order requiring you to pay the reasonable attorney fees incurred by the plaintiff in this proceeding.

**APPEARANCE OF A CORPORATION, PARTNERSHIP,
ASSOCIATION, TRUST, OR OTHER ORGANIZATION**

It is your duty to designate one or more of the following to appear and be examined: officers, directors, managing agents, or other persons who are familiar with your property and debts.

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California; I am over the age of 18 years and am not a party to the within action. I am employed by the law firm of Moldo Davidson Fraioli Seror & Sestanovich LLP, located at 2029 Century Park East, 21st Floor, Los Angeles, California 90067, Telephone: (310) 551-3100, Facsimile: (310) 551-0238.

On February 6, 2008, I served the document(s) described as: **APPLICATION AND ORDER FOR APPEARANCE AND EXAMINATION/ENFORCEMENT OF JUDGMENT/JUDGMENT DEBTOR**, on the interested parties in said action by enclosing the document(s) in a sealed envelope addressed as follows:

SEE ATTACHED SERVICE LIST

☒ **BY MAIL:** I caused such envelope(s) with postage thereon, fully prepaid, to be placed in the United States mail.

I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business.

☐ **BY FEDERAL EXPRESS/EXPRESS MAIL:** I caused said document(s) to be sent via Federal Express / Express Mail for next business day delivery.

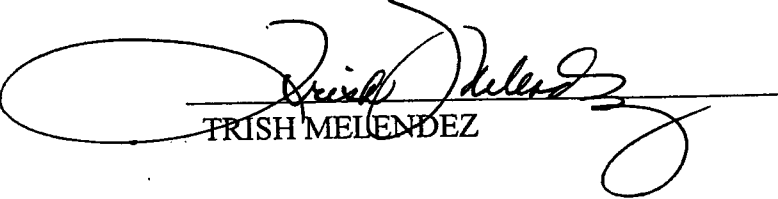
☐ **BY FACSIMILE:** I caused said document(s) to be sent via facsimile.

☐ **BY PERSONAL SERVICE:** I caused said document(s) to be delivered to the addressees listed on the attached Service List.

☐ **[State]** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☒ **[Federal]** I declare that I am employed in the offices of a member of the State Bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Executed on **February 6, 2008**, at Los Angeles, California.


TRISH MELENDEZ

SEC v. J. T. WALLENBROCK & ASSOCIATES
U. S. District Court/Central District Of California
Case No. CV 02-00808 ER (SHx)

SERVICE LIST

James H. Donell, Receiver
12121 Wilshire Blvd.
Suite 200
Los Angeles, CA 90025

Permanent Receiver

Jane E. Jarcho, Esq.
James A. Davidson, Esq.
Peter B. Driscoll, Esq.
Securities & Exchange Commission
175 W. Jackson, 9th Floor
Chicago, IL 60604
Fax: 312/353-7398
Tel: 312/353-7390

Attorneys for Plaintiff

Gregory C. Glynn, Esq.
Securities & Exchange Commission
5670 Wilshire Blvd.
Suite 1100
Los Angeles, CA 90036
Fax: 323/965-3812
Tel: 323/965-3890

Local Counsel for Plaintiff

Van Ichinotsubo
13516 Darvalle Street
Cerritos, CA 90703

Defendant, in pro per

Larry Osaki
#26689-112
Federal Correctional Institution
P. O. Box 3007
Terminal Island, CA 90731

Defendant, in pro per

Sam Biggs, CPA
Biggs & Co.
2800 Twenty-Eighth Street
Suite 300
Santa Monica, CA 90405-2034
Tel: 310/450-0875
Fax: 310/450-9157

Accountants for Receiver